

**THE VIRGINIA BOARD FOR
ASBESTOS, LEAD AND HOME INSPECTORS
MEETING MINUTES**

The Virginia Board for Asbestos, Lead and Home Inspectors met on February 1, 2007 in Conference Room 4 West at the offices of the Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia.

The following members of the Board were present:

Frederick Heppner, Chairperson
John C. Bouldin, Vice Chairperson
Dolores Daniels
Howard D. Varner
Thomas Joel Loving
David Bowen Hyatt – arrived at 9:10 a.m.
Dr. Clayton S. Sinyai – arrived at 9:10 a.m.
Vicki H. Harlow
Wendy G. Hill
Keith F. Cronan

The following members of DPOR staff were present during some or all of the meeting:

Jay W. DeBoer, Director
Karen O'Neal, Deputy Director for LRD
David Dick, Executive Director
Earlyne Perkins, Legal Analyst
Marilyn Cohn, Administrative Assistant

Elizabeth Peay of the Office of the Attorney General was present during some of the meeting.

Others who attended the meeting included:

Tracey Dunn, Representing Virginia Department of Housing and
Community Development
Willie Fobbs, Representing Virginia Department of Housing and
Community Development

Chairperson Heppner, finding a quorum of the Board present, called **Call to Order** the meeting to order at 9:05 am. Mr. Heppner welcomed the new board member, Keith Cronan.

Mr. Bouldin moved that the Board approve the agenda. Ms Harlow **Adopt Agenda** seconded the motion, which was unanimously approved by the following members: Heppner, Bouldin, Varner, Loving, Daniels, Harlow, Hill and Cronan.

Mr. Varner moved that the Board approve the minutes of its November 1, 2006 meeting and the IFF minutes of November 16 and November 30, 2006. Mr. Bouldin seconded the motion which was unanimously approved by the following members: Heppner, Bouldin, Varner, Daniels, Hyatt, Sinyai, Harlow, Loving, Hill and Cronan.

Approval of Board Minutes

Chairperson Heppner opened the floor for public comment. No members of the public were present.

Public Comment Period

In the matter of **File Number 2006-03139, USA Remediation Services, Inc.**, the Board reviewed the record which consisted of the investigative file, transcript and exhibits from the IFF and the presiding Board member's summary and recommendation. No representative of USA Remediation Services, Inc. was present.

File Number 2006-03139

Ms Harlow moved that the Board adopt the summary and recommendation for Count 1 that USA Remediation Services, Inc. was in violation of 18 VAC 15-20-450 A 6; Count 2 that USA Remediation Services, Inc. was in violation of 18 VAC 15-20-450 A 7; Count 3 that USA Remediation Services, Inc. was in violation of 18 VAC 15-20-450 A 9; and Count 4 that USA Remediation Services, Inc. was in violation of 18 VAC 15-20-80 of the Board's January 2, 2002 regulations. Mr. Cronan seconded the motion which was unanimously approved by the following members: Heppner, Varner, Daniels, Loving, Hyatt, Harlow, Hill and Cronan. Mr. Bouldin and Dr. Sinyai recused themselves and did not participate in the discussion or vote.

Mr. Varner moved that the Board accept the sanctions recommended by the presiding Board member regarding the payment of a monetary penalty for Count 2 in the amount of \$2,500 in violation of 18 VAC 15-20-450 A 7; Count 3 in the amount of \$1,500 in violation of 18 VAC 15-20-450 A 9; and revocation of their asbestos contractor license number 3306000366 for Count 1, Count 2, Count 3 and Count 4. Ms Harlow seconded the motion which was approved by the following members: Heppner, Varner, Daniels, Loving, Hyatt, Harlow, Hill and Cronan. Mr. Bouldin and Dr. Sinyai recused themselves and did not participate in the discussion or vote.

In the matter of **File Number 2007-01916, Michael Earl Anderson, Sr.**, the Board reviewed the record which consisted of the application file, transcript and exhibits from the IFF and the presiding officer's summary and recommendation.

File Number 2007-01916

Upon a motion by Mr. Bouldin and seconded by Ms Daniels, the

Board adopted the summary and recommendation and approved the application for Asbestos Worker license for Michael Earl Anderson, Sr. The motion was approved by the following members: “YES” Heppner, Bouldin, Varner, Daniels, Hyatt, Sinyai, Loving, Hill and Cronan; “NO” Harlow.

In the matter of **File Number 2007-02027, Jason Lee Woods**, the Board reviewed the record which consisted of the application file, transcript and exhibits from the IFF and the presiding officer’s summary and recommendation.

File Number
2007-02027

Upon a motion by Mr. Varner and seconded by Mr. Cronan, the Board adopted the summary and recommendation and approved the application for Asbestos Supervisor license for Jason Lee Woods. The motion was approved by the following members: “YES” Heppner, Bouldin, Varner, Daniels, Hyatt, Sinyai, Loving, Hill and Cronan; “NO” Harlow.

Sharon Sweet, Director for the Office of Education and Examinations at DPOR, reviewed several examination issues for the Board. The first issue was related to a scoring error and the second was related to inspector examination items. An item review workshop has been recommended and Ms Sweet requested the participation of those board members who are qualified to attend the workshop. Upon a motion by Ms Harlow and seconded by Mr. Loving, the Board authorized the removal from the licensing examination of all questions concerning the use of composite dust wipe samples. The motion was unanimously approved by the following members: Heppner, Bouldin, Varner, Daniels, Hyatt, Sinyai, Harlow, Loving, Hill and Cronan.

Other Business

David Dick provided the Board with an update on the training program audit activity. The Board took no action.

Wendy Hill presented the report of the Board’s Educational Program Committee. After the board review, the Chair requested the Committee meet and prepare a final draft for the Board’s review at the next meeting.

Vicki Harlow raised concerns regarding the staff interpretation of Lead Risk Assessor Qualifications set out in the board’s regulations, 18 VAC 15-30-245 A 2, 3, 4. There was no action taken by the Board.

Mr. Bouldin moved that the Board adopt the following resolution:

Department of Professional and

Occupational Regulation

Board for Asbestos, Lead and Home Inspectors

Resolution To

Richard L. Honeycutt

WHEREAS, Richard L. Honeycutt has faithfully and diligently served as a member of the Board for Asbestos, Lead and Home Inspectors from July 1, 2002 until June 30, 2006; and

WHEREAS, Richard L. Honeycutt has devoted generously of his time, talent and leadership to the Board; and

WHEREAS, Richard L. Honeycutt has endeavored at all times to render decisions with fairness, good judgment, and in the best interest of the Board; and

WHEREAS, the Board for Asbestos, Lead and Home Inspectors wishes to acknowledge its gratitude and deepest appreciation for devoted service of a person who is held in high esteem by the members of the Board and the citizens of the Commonwealth.

NOW, THEREFORE, BE IT RESOLVED by the Board for Asbestos, Lead and Home Inspectors this first day of February, 2007 that Richard L. Honeycutt be given all honors and respect due him for his outstanding service to the Commonwealth and its citizens and the Board for Asbestos, Lead and Home Inspectors; and

BE IT FURTHER RESOLVED that this Resolution be presented to him and be made a part of the official minutes of the Board so that all may know of the high regard in which he is held.

The following meeting dates have been scheduled.

- May 9, 2007
- August 15, 2007
- November 7, 2007

Mr. Heppner asked the Board members to complete their conflict of interest forms and travel vouchers.

**Future Meeting
Dates**

**Conflict of Interest
Forms and Travel
Vouchers**

Chairperson Heppner, finding no further business to conduct, **Adjournment**

adjourned the meeting at 11:00 A.M.

Frederick Heppner, Chairperson

Jay W. DeBoer, Secretary

COPY TESTE:

Custodian of the Records

DRAFT